

Appl. No. 10/709,155
Response dated November 11, 2005

REMARKS

Claims 1-19 and 21 are pending in the application. Claims 1-19, directed to a rain runoff gauge and measurement process, are purportedly subject to restriction from claim 20 directed to a method for measuring maximum water depth. Claim 21, directed to a method for cultivating plants, is purportedly subject to restriction from claims 1-19 and claim 20. Applicant provisionally elects the invention of claims 1-19 for prosecution on the merits, with traverse of the restriction requirement as to claim 21.

Applicant cancels claim 20 until without prejudice.

Applicant notes that claim 21 recites the features of apparatus claim 1 and the steps of method claim 16, and as such, is also a claim which must be examined with the invention of claims 1 and 16. Claim 21 thus includes essentially all of the elements of claims 1 and/or 16, and thus there is no additional burden placed on the office to examine claim 21 with claims 1-19.

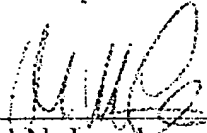
The restriction requirement should be withdrawn with respect to claim 21, or in the alternative, applicant would request rejoinder upon an indication that claim 1 and/or claim 16 is allowed.

Withdrawal of restriction requirement with respect to claim 21, examination of all claims on the merits, rejoinder of claim 21 if withdrawn, and an early allowance of all pending claims, are respectfully requested.

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Should any issues remain that are appropriate to resolution by telephone interview, please contact undersigned counsel.

Respectfully submitted,



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